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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-1312-C)

In the Application of:)
Michael S. Kopreski) Before the Examiner:
Serial No. 09/966,515)
Filed: September 28, 2001) Group Art Unit: 1655
For: Method Enabling Use of Extracellular RNA) Confirmation No.: 5477
Extracted From Plasma or Serum to Detect,)
Monitor or Evaluate Cancer)

TRANSMITTAL LETTER

Box MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

In regard to the above-identified application:

1. We are transmitting herewith the attached
 - a. Copy of the Notice to File Missing Parts of Application
 - b. Response to Notice to File Missing Parts of Application and Preliminary Amendment
 - c. Executed copy of Oath or Declaration
 - d. Sequence Listing
 - e. Computer-readable copy of sequence listing
 - f. Return Receipt Postcard
2. With respect to additional fees:
 - a. A check in the amount of \$65.00 is enclosed.
4. Please charge any deficiency in the amount due, or credit any overpayment, to Deposit Account No. **13-2490**. A duplicate copy of this sheet is enclosed.
5. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as "First Class Mail" in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on this **21st** day of **November, 2001**.

By:

Kevin E. Noonan
Reg. No. 35,303



U.S. PATENT AND TRADEMARK OFFICE
MAY 06 2002

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/966,515	09/28/2001	Michael S. Kopreski	00-1312-C

CONFIRMATION NO. 5477
FORMALITIES LETTER



OC000000006954247

Kevin E. Noonan
McDonnell Boehnen Hulbert & Berghoff
32nd Floor
300 S. Wacker Drive
Chicago, IL 60606

Date Mailed: 10/23/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/09/2002 BARBARA1 00000109 09966515

01 FC:205

FILED UNDER 37 CFR 1.53(b)

65.00 DP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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(Case No. 00-1312-C)

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RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
MAILED OCTOBER 23, 2001 AND PRELIMINARY AMENDMENT

Box MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the Notice to File Missing Parts of Application, mailed October 23, 2001, applicants submit herewith an executed copy of their Declaration, pursuant to 37 C.F.R. §§1.63 and 1.68. A check in the amount of \$65.00 accompanies this Response.

Also submitted herewith is a paper copy of the Sequence Listing and a floppy diskette including an electronic copy of the Sequence Listing. Please amend this application as indicated below.

IN THE SPECIFICATION

After page 26 of the specification, please insert the paper copy of the Sequence listing.

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

The specification was amended to comply with the collective requirements of 37 C.F.R. 1.821 to 1.825. The sequence listing was not submitted in the original application. The applicants submit that the information contained in the sequence listing is identical to the

information contained in the electronic version of the sequence listing. The applicants further submit that no new matter has been introduced into the application as a result of the present amendment.

Prompt consideration and entry of this amendment are respectfully requested.

Respectfully submitted,



Kevin E. Noonan
Registration No. 35,303

Date: November 21, 2001